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Dena A. Bradshaw

# FEDERAL COMMUNICATIONS COMMISSION

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In Re Applications of:	)	WT Docket No.:	96-41	
	)			
LIBERTY CABLE CO., INC.,	)	File Nos.:		
for Private Operational	)	70877		WNTT370
Fixed Microwave Service	)	708778, 713296		WNTM210
Authorization and	)	708779		WNTM385
Modifications	)	708780		WNTT555
	)	708781, 709426, 711937		WNTM212
New York, New York	)	709332		(New)
	)	712203		WNTW782
	)	712218		WNTY584
	)	712219		WNTY605
	)	713295		WNTX889
	)	713300		(New)
	)	717325		(New)

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Date: May 28, 1997

## HERITAGE REPORTING CORPORATION

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1985

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Courtroom 2  
FCC Building  
2000 L Street, N.W.  
Washington, D.C.

Tuesday,  
May 28, 1997

The parties met, pursuant to notice of the Judge,  
at 9:34 a.m.

BEFORE: HON. RICHARD L. SIPPEL  
Administrative Law Judge

APPEARANCES:

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I N D E X

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Jennifer Lynn Richter	1997	2083	--	--	--
Examination by Judge:	1999	--	--	--	--
Howard Barr	2110	2126 2143	2135	--	--
Examination by Judge:	2139	--	--	--	--

E X H I B I T S

<u>TW/CV:</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>	<u>REJECTED</u>
53	2088	2089	
55	2079	2083	
56	2010	2012	
57	2010	2012	
58	2018	2020	
59	2069	2069	
60	2007	2016	
61	2036	2037	
62	2063	2064	
63	2057	2059	
64	2079	--	2104

Hearing Began: 9:34 a.m.

Hearing Ended: 3:34 p.m.

P R O C E E D I N G S

[9:34 a.m.]

JUDGE SIPPEL: Good morning. Okay. We're on the record. This hearing has been reopened pursuant to my order 97M-63 and the issues have been delineated that are going to be considered today and tomorrow. Have all the counsel given their names to the Court Reporter? I think I'll -- yes? Okay. I'll have to test my recall, but I think virtually everybody here I know.

The hearing -- the first witness rather will be Ms. Jennifer Richter. Is she in the courtroom this morning? All right. I had indicated to Mr. Beckner that we might take some, we would take some time to receive documents. So it's not necessary that she actually be in Court for that purpose. But is she in town? Is she ready to go?

MR. WEBER: Your Honor, Mr. Beckner and I did speak with Ms. Richter last Friday and I believe at that time we told her she could arrive at 10:00 a.m. since we'd be doing things to start off the morning. I don't know if she's in town. I've not spoken to her since then.

JUDGE SIPPEL: All right. Does anybody have any first hand knowledge is Ms. Richter in town?

MR. PETTIT: No, although I understand from Mr. Weber that the bulletin board has courtroom number one. I hope she's not sitting in courtroom number one for this

1 case. But I suppose at 10:00 o'clock we can find out.

2 JUDGE SIPPEL: Well, that's all right. You just,  
3 I will -- I'm going to go off the record for just a minute.  
4 I'm going to instruct my tech of what the situation is so  
5 that she can be on the alert for that. Thank you, very  
6 much, Mr. Pettit. Let's off the record for just a minute.

7 (Whereupon, a brief recess was taken.)

8 JUDGE SIPPEL: Let's go back on the record. Thank  
9 you for your indulgence. I understand that Ms. Richter has  
10 now appeared in the Courtroom, is that correct?  
11 Ms. Richter, good morning, ma'am.

12 THE WITNESS: Good morning.

13 JUDGE SIPPEL: I spoke briefly on some preliminary  
14 matters with Mr. Beckner and my thinking was that we should  
15 take the, get the documents in evidence before we hear any  
16 testimony.

17 But after looking at the proposed exhibits and  
18 with Ms. Richter being in the Courtroom, I would have, my  
19 interest would be to get her on the stand as soon as we can,  
20 have the documents introduced that is going to pertain to  
21 her testimony and move from there -- not have her sit  
22 through an admissions session.

23 Is there any problem with that? This is the first  
24 time maybe you've heard this, Mr. Beckner, but would you be  
25 able to adapt to that procedure?

1 MR. BECKNER: That's no problem, Your Honor. I  
2 would suggest, if we could, we could just simply have the  
3 Court Reporter mark the exhibits without necessarily  
4 admitting them. Just so it has a stamp on them and then --  
5 that's very quick. And then you can refer to them by  
6 Exhibit -- where are we? 52 or 53 I guess is the next  
7 number. And then later we can move them into evidence and  
8 we can hear objections if any and so on.

9 JUDGE SIPPEL: Well, I certainly want received  
10 into evidence with Ms. Richter on the stand, any documents  
11 that have not already been received that she's going to  
12 testify to.

13 MR. BECKNER: I thought if we went ahead and at  
14 least marked them before she took the stand, moving them  
15 into evidence at this time and that that would make it  
16 easier once we had her on the stand. But that shouldn't  
17 take but a few minutes.

18 JUDGE SIPPEL: We're only talking about 13  
19 exhibits from my count.

20 MR. SPITZER: Thirteen or fourteen. I believe  
21 it's 14, Your Honor.

22 MR. BECKNER: Fourteen.

23 MR. SPITZER: Fourteen? I'll be happy to  
24 eliminate one or two if you want.

25 JUDGE SIPPEL: We're dealing with 14. Yes, you've

1 got a list. Well, will Liberty any documents to introduce  
2 through this witness?

3 MR. SPITZER: No, Your Honor.

4 JUDGE SIPPEL: Does anybody have any problem with  
5 that procedure? We have these, we can go off the record.  
6 We can have the documents marked and it shouldn't take more  
7 than five minutes and we can pick right up from there.

8 MR. SPITZER: That's fine.

9 JUDGE SIPPEL: Is that all right? Now, my, my --  
10 I intend to have Ms. Richter off the stand by lunchtime.  
11 I'm not going to say what lunchtime is. I understand that,  
12 Ms. Richter, you have a plane to catch back to Denver today,  
13 is that correct?

14 THE WITNESS: As soon as I can get back.

15 JUDGE SIPPEL: All right. I think that we should  
16 be able to do it. Let's with that -- I mean, we will do it.  
17 I think we should be able to do it without any problems,  
18 without any hitches. So I'm going to take a five minute  
19 recess while the Reporter marks these exhibits, and  
20 Mr. Beckner you can show him exactly what you have. Before  
21 we go off the record, Mr. Spitzer, do you have anything?

22 MR. SPITZER: No, I just need to introduce --  
23 there's one attorney here who you might not know, Your  
24 Honor. Bryan Tramont, who is with Wiley, Rein.

25 JUDGE SIPPEL: Mr. Tramont, yes. I've seen your



1 name on some of the documents coming in. Certainly I'll  
 2 make a note of that. Okay. All right. Well, let's take a  
 3 five minute -- I'll be back at quarter to 10:00 to see where  
 4 things are. All right? Off the record.

5 (Whereupon, a brief recess was taken.)

6 JUDGE SIPPEL: Back on the record.

7 MR. BECKNER: Your Honor, just to explain briefly  
 8 what I've done. I've given the Reporter two sets of  
 9 proposed Time-Warner Cablevision exhibits and he stamped  
 10 them.

11 I also assembled the same documents in the same  
 12 order in a notebook, copies of which were supplied to both  
 13 Liberty and to the Bureau and to Cablevision as well as to  
 14 yourself.

15 JUDGE SIPPEL: I have one.

16 MR. BECKNER: And then we have also another  
 17 notebook that I thought the witness could use as we have  
 18 done before. And I've shown that notebook to Mr. Begleiter  
 19 so he can inspect it and satisfy himself that it is, has the  
 20 same material in it that we tendered as exhibits.

21 JUDGE SIPPEL: How about Mr. Weber? Has he seen  
 22 that too?

23 MR. BECKNER: I handed that back to Mr. Begleiter.

24 MR. BEGLEITER: Oh, I didn't realize you wanted  
 25 it.

1 MR. BECKNER: I haven't asked for it.

2 MR. BEGLEITER: All right. Sorry. Well, then it  
3 was a gift.

4 JUDGE SIPPEL: That goes to the witness.

5 MR. BECKNER: The notebook has tabs in it  
6 separating each exhibit just like the books that he has.

7 JUDGE SIPPEL: Well, let's put that up on a,  
8 without any objection, let's put this notebook up here for  
9 the witnesses. And this will be, this notebook will be used  
10 by all the witnesses.

11 And anytime there is an objection or a question  
12 with respect to whether or not that set corresponds with  
13 what's marked by the Reporter, there will be an opportunity  
14 to compare.

15 But I mean this is certainly, I'm convinced, I'm  
16 perfectly satisfied that we're dealing with the same  
17 documents that are being received in evidence and those are  
18 the ones that are going to be testified to.

19 All right. While the Reporter completes the  
20 process of marking these documents, can you -- do you want  
21 to make an opening statement? Or can we just call the  
22 witness, Mr. Beckner?

23 MR. BEGLEITER: Well, I don't want to make an  
24 opening statement and tell the witness what I think she's  
25 going to say when she's here. And since we want to move

1 ahead, I think I'd prefer just to begin by examining the  
2 witness.

3 JUDGE SIPPEL: All right. Any other preliminary  
4 remarks anybody wants to make?

5 MR. HOLT: Yes, Your Honor.

6 JUDGE SIPPEL: Mr. Holt.

7 MR. HOLT: Thank you. This phase of the case is  
8 being prosecuted by counsel for Time-Warner and I have not,  
9 I do not intend to ask the witness questions today. So I  
10 would request leave from Your Honor to remove myself from  
11 the proceedings for today and possibly through the continued  
12 -- through the remainder of the week in the event that I  
13 determine that I don't want to ask questions of additional  
14 witnesses.

15 JUDGE SIPPEL: All right. And I take it you won't  
16 be participating in the proposed findings on this phase.

17 MR. HOLT: I'd like to reserve the opportunity to  
18 do that, but I'm not confident that Cablevision will be  
19 submitting separate proposed findings. We may confer with  
20 counsel from Time-Warner about joining in those findings  
21 submitted by them. But that's up to Your Honor.

22 JUDGE SIPPEL: All right. Well, yeah. That's --  
23 I asked that question to be sure that you understand that  
24 you're bound by all rulings, procedural or substantive, that  
25 might be made in your absence. The rulings that are made

1 here today are the rulings you're going to have to live with  
2 if you're going to participate in proposed findings. But  
3 subject to that, to you being aware of that or my making you  
4 aware of that, certainly you made be excused at this time.

5 MR. HOLT: Thank you, Your Honor. I do understand  
6 that. I would simply add I would expect that if counsel for  
7 any of the parties intended to raise an issue with respect  
8 to Cablevision, a procedural issue, that they would provide  
9 me with advance notice so I'd have an opportunity to address  
10 it.

11 JUDGE SIPPEL: Well, whatever the understanding is  
12 between you and other counsel is fine with me, but I'm not  
13 going to, I'm not going to monitor issues or instruct  
14 anybody to be sure and call Mr. Holt about this one. Unless  
15 it really hits me between the eyes. Mr. Spitzer.

16 MR. SPITZER: I'm not sure I can be bound by what  
17 Mr. Holt just suggested because I don't understand it. I'm  
18 not sure what procedural issues would relate to Cablevision  
19 or Time-Warner. And I think that either he wants to be here  
20 or he doesn't want to be here. And that's purely his  
21 choice. So I'm not going to assume any of his obligations  
22 to either be present or not be present.

23 JUDGE SIPPEL: Mr. Holt.

24 MR. HOLT: The point I was simply trying to make,  
25 I was making a request to counsel that if they intended to

1 make a motion or other -- a procedural motion directed  
2 specifically at Cablevision, which I don't imagine is going  
3 to happen, that they would give me an advance notice of  
4 that.

5 MR. SPITZER: We'll serve him with all papers. I  
6 mean, that obviously we will do.

7 JUDGE SIPPEL: All right. There will be no phone  
8 calls in the middle of the night. I mean, you'll have to  
9 assume a certain amount of risk. We take it that people  
10 are, you've seen how this case has been progressing and I  
11 don't, I'm not going to comment on anything more than that.  
12 But I mean, it's your call. But, yes, you may be excused.  
13 We'll just carry on in your absence.

14 MR. HOLT: Thank you, Your Honor.

15 JUDGE SIPPEL: All right. Anything further? No.  
16 Then you want to call your first witness then? I understand  
17 this witness, are you calling this witness as a Time-Warner  
18 witness or is this a witness that you are going to be  
19 treating as a hostile witness?

20 MR. BECKNER: Well, we discussed that before and I  
21 think I was persuaded not to treat this witness as a hostile  
22 witness. So I can call her as a Time-Warner witness.

23 JUDGE SIPPEL: All right. All right.

24 MR. BECKNER: She and I didn't discuss it.

25 JUDGE SIPPEL: Well, I know, but --

1 MR. BECKNER: She may have other ideas.

2 JUDGE SIPPEL: I'm using that obviously as a word  
3 of law under the rules of evidence. But Ms. Richter is a  
4 lawyer. She understands that.

5 Whereupon,

6 JENNIFER LYNN RICHTER

7 was called as a witness and having been duly  
8 sworn, was examined and testified on his oath as follows:

9 JUDGE SIPPEL: Please be seated. Mr. Beckner,  
10 your witness.

11 MR. BECKNER: Thank you, Your Honor.

12 DIRECT EXAMINATION

13 BY MR. BECKNER:

14 Q Ms. Richter, can you state your full name for the  
15 record, please?

16 A Jennifer Lynn Richter.

17 Q All right. What's your current occupation,  
18 Ms. Richter?

19 A I'm Vice President and General Counsel for  
20 Wireless Broadcasting Systems of America.

21 Q All right. Ms. Richter, before I get into your  
22 substantive questioning, I just wanted to ask one or two  
23 foundation things. First off, have you and I before today  
24 discussed the substance of your testimony here?

25 A Other than in the deposition?

1 Q That's correct.

2 A No.

3 Q Have I given you any advance indication as to what  
4 questions I might ask you at this time?

5 A No.

6 Q Now, you mentioned a deposition. Do you recall  
7 being deposed in this case on or about May 12th, 1997 in  
8 Colorado?

9 A Yes.

10 Q Okay. And was I present at that position?

11 A Yes.

12 Q And do you recall the presence of other attorneys  
13 at that deposition as well?

14 A Yes.

15 Q Okay. Do you remember who else was present?

16 A Bruce Begleiter and Joe Weber.

17 Q All right. Thank you.

18 A Oh, I'm sorry. Did I get his name wrong?

19 MR. SPITZER: It's Bob Begleiter.

20 THE WITNESS: I'm sorry.

21 BY MR. BECKNER:

22 Q Ms. Richter, was there a time when you were  
23 employed at the law firm of Pepper & Corazzini here in  
24 Washington?

25 A Yes.

1 JUDGE SIPPEL: Just a minute. I want to ask one  
2 other voir dire question. Have you seen the hearing  
3 designation order in this case?

4 THE WITNESS: I have not. In fact, I haven't even  
5 seen my deposition transcript which I specifically did not  
6 waive signature on.

7 JUDGE SIPPEL: Are you satisfied going forward  
8 with your testimony under those circumstances? Because we  
9 certainly will take a recess if you want to read the  
10 designation order. You're not in it by name, but you  
11 understand what is being alleged in the hearing designation  
12 order effects really the admitted unauthorized activation of  
13 microwave service by Liberty?

14 THE WITNESS: I think I was informed of that  
15 previously by Mr. Weber that in fact at some later point  
16 Liberty admitted that they had turned on facilities before  
17 they were licensed.

18 JUDGE SIPPEL: Okay. I just wanted to be sure you  
19 understand the focus of this hearing with respect to the  
20 violation involved.

21 THE WITNESS: I don't think I understand the  
22 charges fully, but I think I understand the general gist of  
23 this.

24 JUDGE SIPPEL: Well, the ultimate charge is that  
25 they without authorization activated microwave service in



1 New York City at periods of time in 1994 and 1995.

2 THE WITNESS: Okay.

3 JUDGE SIPPEL: Does that fairly give the bottom  
4 line?

5 MR. SPITZER: Absolutely.

6 JUDGE SIPPEL: I think she's entitled to that.

7 All right. You go ahead.

8 THE WITNESS: Thank you.

9 BY MR. BECKNER:

10 Q Ms. Richter, I apologize for asking you to do  
11 this, but I'm having a little trouble hearing you. I'm at  
12 the far end of the room. The microphone unfortunately is  
13 hooked only to the tape recorder and not to any kind of PA.

14 A Oh, okay. I'll speak up.

15 Q Thank you. I appreciate that. What were the  
16 dates approximately your start and end dates of your  
17 employment at Pepper & Corazzini?

18 A I believe I started with Pepper & Corazzini in  
19 April of 1992 and concluded my employment with them in July  
20 of 1994.

21 Q During the time that you were, well, strike that.  
22 During this time, were you working as an attorney at Pepper  
23 & Corazzini?

24 A Yes.

25 Q Okay. During the time that you worked at that law

1 firm, did you have occasion to work on the account of  
2 Liberty Cable Company?

3 A Yes, I did.

4 Q Okay. Approximately when did you start working on  
5 that account if you remember?

6 A Very shortly after I started at Pepper &  
7 Corazzini, within weeks.

8 Q Okay. And did you continue to work on that count  
9 thereafter until you left the firm?

10 A Yes, I did.

11 Q Okay. Was there someone who had worked on the  
12 account before you at Pepper & Corazzini?

13 A Yes.

14 Q Who was that person's name?

15 A Todd Parriott.

16 Q All right. Did you in essence take over from  
17 Mr. Parriott once you began to work on the Liberty account?

18 A I took over from Mr. Parriott after he left the  
19 employment of Pepper & Corazzini. While he was with Pepper  
20 & Corazzini, he was supervising any work that I did on the  
21 account and he also did work on the account.

22 Q Did Mr. Parriott establish for you to be -- the  
23 working relationship that the firm had with Liberty Cable?

24 A In what way?

25 Q Did he tell you what kind of procedures if any he

1 had setup with Liberty Cable regarding the work that the  
2 firm was doing for them?

3 A I think I need more explanation of what you're  
4 asking.

5 Q Did he introduce you either in person or by  
6 telephone to any of the people at Liberty Cable that you  
7 later came to work with?

8 A Did he introduce me by telephone to people?

9 Q Right.

10 A No, not that I recall.

11 Q Did he introduce you to anyone at all at Liberty  
12 Cable?

13 A Actually, I don't think so.

14 Q All right. Was there any kind of instruction or  
15 guidance that he gave you regarding the transition of  
16 responsibility from him to you with respect to the Liberty  
17 Cable account?

18 A I don't recall specifically a conversation that we  
19 had about the transition of the Liberty account. I think  
20 when he was still with Pepper & Corazzini, I was doing  
21 application work for Liberty and that work certainly  
22 continued. And that was primarily my responsibility for  
23 Liberty Cable.

24 Q After Mr. Parriott left, was there any other  
25 attorney who supervised your work at Pepper & Corazzini?

1 A On the Liberty Cable account?

2 Q Yes.

3 A Not as a matter of course.

4 Q Did you occasionally seek the advice of any other  
5 attorney at Pepper & Corazzini with respect to your work on  
6 the Liberty Cable account?

7 A Over the course of my employment with Pepper &  
8 Corazzini and my representation of Liberty Cable, I did seek  
9 the advice I think of Howard Barr on occasion. And probably  
10 Bob Corazzini on occasion. He was the partner who was  
11 primarily responsible for me and my work at Pepper &  
12 Corazzini.

13 Q Was Mr. Barr a partner or an associate at the time  
14 you were at Pepper & Corazzini?

15 A He was an associate.

16 Q Okay. Now, you said in answer to a previous  
17 question that one of the things you did for Liberty while  
18 you were working at Pepper & Corazzini was applications.  
19 Did I hear that right?

20 A That's correct.

21 Q Okay. Was there any other kind of legal work that  
22 you did for Liberty other than applications?

23 A I wrote a memo at one time about preemption of  
24 local zoning rules, regulations and laws relative to antenna  
25 restrictions.

1 Q Who were the person or persons who you dealt with  
2 at Liberty Cable?

3 A Primarily I dealt with Behrooz Nourain. I think  
4 we established in my deposition that I spoke with Mr. Price  
5 once that I can recall and I don't believe I ever spoke with  
6 Mr. McKinnon. Although when I sent correspondence, I sent  
7 it to Mr. McKinnon and usually copying Behrooz Nourain and  
8 occasionally some things went to Mr. Price as well.

9 Q You've identified Mr. McKinnon and Mr. Price. Did  
10 you know with respect to those individuals what their job  
11 title was at Liberty?

12 A I couldn't say with certainty. I think probably  
13 Mr. Price is the President of Liberty Cable and I think I  
14 recall that Mr. McKinnon was some kind of Executive Vice  
15 President and Behrooz was their Director of Engineering. I  
16 don't know if I have those titles precise. But I think  
17 that's generally the positions they held.

18 Q But regardless of what the titles were that these  
19 persons held, you understood that hierarchy or ranking in  
20 terms of seniority or importance.

21 A Yes.

22 Q Okay. And at the top of the hierarchy was whom?

23 A Peter Price.

24 Q And at the bottom was?

25 A Behrooz Nourain.

1 Q All right. In the spring of 1993, can you say  
2 approximately how frequently you spoke with Mr. Nourain?

3 A In the spring of, I'm sorry?

4 Q Of 1993.

5 A Do I remember how many times I spoke with him?

6 Q Approximately.

7 A Weekly.

8 Q Okay.

9 A Generally, when we were doing work we spoke  
10 weekly. But in the spring of 1993, I couldn't recall  
11 specifically.

12 Q Just so we have your testimony right, as a general  
13 matter, your conversation with Mr. Nourain during the period  
14 that you worked for Liberty Cable was more or less weekly.  
15 Would that be a fair statement?

16 A That would be fair.

17 Q Now, can you tell us how the application process  
18 worked between you and Mr. Nourain in 1993?

19 A I think I said in my deposition that I don't  
20 recall specifically, but what I think I remember is that a  
21 frequency coordination would come from Comsearch and from  
22 there I would make the application and then send the  
23 application out for signature and that was the procedure in  
24 the beginning. And that later as my representation evolved,  
25 Behrooz would give me the work and then I would contact

1 Comsearch and have them do the frequency coordination.

2 Q Can you tell us when the change in procedure that  
3 you described happened?

4 A No.

5 Q That is where you began to get a direct  
6 communication from Mr. Nourain about an application.

7 A No.

8 Q Do you remember whether or not in the Spring of  
9 1993 you were getting direct requests for applications to be  
10 filed from Mr. Nourain?

11 A No, I couldn't recall that.

12 JUDGE SIPPEL: I'm sorry to interrupt here for  
13 just a minute, but can you tell me the reason why that  
14 process changed? What was the reason for doing, well, what  
15 was the reason for the change in the process?

16 THE WITNESS: At this point it's difficult to  
17 recall, but I think if I'm going to speculate about it, I  
18 began to have direct client contact with Liberty Cable. And  
19 instead of them going to Comsearch, since they were speaking  
20 with me, they would give the work to me directly after a  
21 period of time.

22 JUDGE SIPPEL: Was that a decision that you made?

23 THE WITNESS: No.

24 JUDGE SIPPEL: It was easier for you. Or was that  
25 made jointly with Mr. Nourain? Or were you told to do it?

1 THE WITNESS: I don't think it was a decision at  
2 all. I think it was just something that evolved over the  
3 course of the representation.

4 BY MR. BECKNER:

5 Q Ms. Richter, I'd like you to turn to tab number  
6 nine in the book. For the record, that would be TW --  
7 Exhibit marked now for identification only 60. Do you  
8 recognize this --

9 (Document above referred to  
10 was marked for identification  
11 as TW/CV Exhibit 60.)

12 JUDGE SIPPEL: Wait just a minute now. I'm not  
13 following that. This has been marked as what, TW Exhibit 9?

14 MR. BECKNER: No, the tab, Your Honor, there's no  
15 Tab 9 in the book, but the exhibit number since we are  
16 picking up on the number series that we began in the  
17 previous hearing is the exhibit number I think is actually  
18 60.

19 BY MR. BECKNER:

20 Q Ms. Richter, the question I wanted to ask you was  
21 first do you recognize what this document is?

22 A This is a billing statement from Pepper &  
23 Corazzini to Liberty Cable.

24 Q Okay. I direct your attention to the entry that's  
25 3/12/93 with the initials JLR. And I simply want to ask you



1 if when you look at that entry, does that refresh your  
2 recollection at all about whether or not in the spring of  
3 1993 you were receiving direct requests from Mr. Nourain for  
4 applications?

5 A It appears that I was and actually I think the  
6 entry at 3/2/93 is probably better illustrative of the  
7 point. It says there that I got a phone call from Behrooz  
8 re: new paths to be applied for.

9 Q Okay. Let me just ask you a couple more questions  
10 about the bill. Is the JLR initials here, are those your  
11 initials?

12 A They are.

13 Q Okay. And can you tell us how the narrative which  
14 appears to the right of the initials, how that's generated?

15 A That is taken off of billing sheets that we  
16 handwrite as we did work and that was then given to our  
17 accounts receivable person who had typed them into the  
18 computer, put them on the statement.

19 Q Does the person who makes the transcription into  
20 the computer, does he or she to your knowledge copy down  
21 verbatim what you write on the billing sheets?

22 A I think that's generally true, save for  
23 typographical errors.

24 Q Okay. And the information that you said you put  
25 down on the billing sheets, do you put that down on the very